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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,837	08/07/2001	Tomotoshi Sato	210263US-2	8604

22850 7590 12/18/2007

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
TRUONG, LAN DAI T	

ART UNIT	PAPER NUMBER
2152	

NOTIFICATION DATE	DELIVERY MODE
12/18/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No.	Applicant(s)	
	09/922,837	SATO, TOMOTOSHI	
	Examiner	Art Unit	
	Lan-Dai Thi Truong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1, 3-11, 13-28, 30-36, 41-48*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11,13-28,30-36 and 41-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-11, 13-28, 30-36, 41-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/2007 has been entered.

2. This action is response to communications: application, filed on 08/07/2001; amendment filed 10/12/2007. Claims 1, 3-11, 13-28, 30-36, 41-48 are pending; claims 2, 12, 29, 37-40 are canceled; claims 40-48 are added

3. The applicant's arguments file on 10/12/2007 have fully considered but they are moot in view with new ground for rejections

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 11, 14, 28, 30 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo et al. (U.S. 6,614,811) in view of Denman et al. (U.S. 6,745,240)

Regarding claim 1:

Alaimo discloses the invention substantially as claimed, including the peripheral unit management system for managing a plurality of peripheral units, comprising:

means for managing the plurality of other peripheral devices and said peripheral device: (Alaimo discloses a telecommunication device includes numbers of insertable cards (i.e. controller card, various peripheral cards and power supply card). The controller is capable to manage itself management functions in order to manage the various of peripheral cards: column 13, lines 12-19; figure 3; abstract, lines 12-15; column 3, lines 35-42, 52-67; column 1, lines 65-67; column 2, lines 1-30; column 3, lines 46-51; column 7, lines 9-19; column 9, lines 25-31, 53-60; column 10, lines 50-52; column 11, lines 8-11)

However, Alaimo does not explicitly disclose selecting a managing device

In analogous art, Denamn discloses a configuration system including a group of numbers interconnected nodes, therefrom a coordinator node/ controlling node are selected from the group of numbers interconnected node by each member node of the group. The coordinator node is capable to control itself such as reset/ and initialization/ and control the TPA selection process, and it also is capable to control figurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15)

wherein the managing peripheral device is selected by said means for selecting out of a group including the plurality of other peripheral devices and said peripheral device: (in

Denamn's configuration system, the coordinator node is selected from a group of nodes including it's self: figure 1; abstract; figure 4)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with capability of voting for a node that it believes is the best candidate to control the communication network configuration into Alaimo's system in order to increase processing speeds and provide capabilities of handle complex problems and manipulate large database quickly and reliable see (column 1, lines 32-37)

Regarding claim 11:

Alaimo discloses the invention substantially as claimed, including a system for managing a plurality of peripheral units, comprising:

a plurality of peripheral devices connected to a network: (Alaimo discloses a telecommunication device includes numbers of insertable cards (i.e. controller card, various peripheral cards and power supply card) those connected together through backplane: figure 3, item 30; column 6, lines 52-67)

means for managing plurality of peripheral devices: (in Alaimo's system, the controller is capable to manage the various of peripheral cards: column 13, lines 12-19; figure 3; abstract, lines 12-15; column 3, lines 35-42, 52-67; column 1, lines 65-67; column 2, lines 1-30; column 3, lines 46-51; column 7, lines 9-19; column 9, lines 25-31, 53-60; column 10, lines 50-52; column 11, lines 8-11)

However, Alaimo does not explicitly disclose each of device of plurality of device can manage plurality of devices

In analogous art, Denamn discloses a configuration system including a group of numbers interconnected nodes, therefrom a coordinator node/ controlling node are selected from the group of numbers interconnected node by each member node of the group. The coordinator node is capable to control itself such as reset/ and initialization/ and control the TPA selection process, and it also is capable to control figurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15)

wherein the managing peripheral device is selected by said means for selecting out of a group including the plurality of other peripheral devices and said peripheral device: (in Denamn's configuration system, the coordinator node is selected from a group of nodes including it's self: figure 1; abstract; figure 4)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with capability of voting for a node that it believes is the best candidate to control the communication network configuration into Alaimo's system in order to increase processing speeds and provide capabilities of handle complex problems and manipulate large database quickly and reliable see (column 1, lines 32-37)

Regarding claim 28:

Alaimo discloses a computer program product, comprising a computer storage medium and a computer program code mechanism embedded in the computer storage medium for causing a peripheral device to manage a plurality of peripheral devices connected to a network, a computer code mechanism comprising:

A computer code device configured to manage said plurality of peripheral devices from a managing peripheral device: (Alaimo discloses a telecommunication device includes numbers of insertable cards (i.e. controller card, various peripheral cards and power supply card). The controller is capable to manage the various of peripheral cards: column 13, lines 12-19; figure 3; abstract, lines 12-15; column 3, lines 35-42, 52-67; column 1, lines 65-67; column 2, lines 1-30; column 3, lines 46-51; column 7, lines 9-19; column 9, lines 25-31, 53-60; column 10, lines 50-52; column 11, lines 8-11)

However, does not explicitly disclose managing peripheral device is selected out of a group including said plurality of peripheral devices, which includes peripheral devices other than said peripheral device used to select said managing peripheral device

In Denamn's configuration system, the coordinator node is selected from a group of nodes including it's self: figure 1; abstract; figure 4)

a second computer code device configured to select said managing device to manage said plurality of devices: ("the coordinator node" is equivalent to a second computer code device as claimed is capable to control figurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with capability of voting for a node that it believes is the best candidate to control the communication network configuration into Alaimo's system in order to increase processing speeds and provide

capabilities of handle complex problems and manipulate large database quickly and reliable see (column 1, lines 32-37)

Regarding claim 14:

This claim is rejected under rationale of claim 11

Regarding claim 30:

This claim is rejected under rationale of claim 28

Claims 21, 3-5, 13, 15 and 31are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman in view of Duvvury (U.S. 6,917,626)

Regarding claim 21:

Alaimo discloses the invention substantially as claimed, including a method for managing a plurality of peripheral devices connected to a network, comprising steps of:

managing said plurality of peripheral devices from a managing peripheral device: (Alaimo discloses a telecommunication device includes numbers of insertable cards (i.e. controller card, various peripheral cards and power supply card). The controller is capable to manage itself management functions in order to manage the various of peripheral cards: column 13, lines 12-19; figure 3; abstract, lines 12-15; column 3, lines 35-42, 52-67; column 1, lines 65-67; column 2, lines 1-30; column 3, lines 46-51; column 7, lines 9-19; column 9, lines 25-31, 53-60; column 10, lines 50-52; column 11, lines 8-11)

However, Alaimo does not explicitly disclose selecting a managing device

In analogous art, Denamn discloses a configuration system including a group of numbers interconnected nodes, therefrom a coordinator node/ controlling node are selected from the group of numbers interconnected node by each member node of the group. The coordinator

node is capable to control itself such as reset/ and initialization/ and control the TPA selection process, and it also is capable to control figurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15)

wherein the managing peripheral device is selected by said means for selecting out of a group including the plurality of other peripheral devices and said peripheral device: (in Denamn's configuration system, the coordinator node is selected from a group of nodes including it's self: figure 1; abstract; figure 4)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with capability of voting for a node that it believes is the best candidate to control the communication network configuration into Alaimo's system in order to increase processing speeds and provide capabilities of handle complex problems and manipulate large database quickly and reliable see (column 1, lines 32-37)

However, Alaimo-Denamn does not explicitly disclose setting default URLs of webservers for said peripheral devices to correspond to a web server for said managing peripheral device

In analogous art, Duvvury discloses logical configured single cluster comprises one commander device and one or more member devices. Each device in the cluster is identified by URL, see (abstract, lines 1-8)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Duvvury's ideas of assigning URL for each node in the cluster

as network communication identify into Alaimo-Denamn's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas

Regarding claim 3:

Those claims are rejected under rationale of claim 1 in light of Duvvury

Regarding claim 13:

This claim is rejected under rationale of claim 3

Regarding claim 4:

In addition to rejection in claim 3, Alaimo-Denman- Duvvury further discloses enabling means for managing when the managing device selected by said means for selecting is said device: (It would obvious to one of ordinary skill in the art knows, the selected managing device should be enabled manager function)

Regarding claim 31:

This claim is rejected under rationale of claim 4

Regarding claim 15:

This claim is rejected under rationale of claim 4

Regarding claim 5:

In addition to rejection in claim 3, Alaimo-Denman- Duvvury further discloses disabling means for managing when the managing device selected by said means for selecting is not said device: (It would obvious to one of ordinary skill in the art knows, the not selected managing device should disabling manager function)

Claims 6-7, 16-19, 23-25, 33-35 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman-Duvvury in view of Carcerano et al. (U.S. 6,308,205)

Regarding claim 6:

Alaimo-Denman-Duvvury discloses the invention substantially as disclosed in claim 3, but does not explicitly teach receiving instructions from a user station connected to the network

In similar art, Carcerano disclose method using configuration template for setting up configuration attributes from remote, see (figure 7; abstract)

requesting and receiving information from the plurality of other peripheral devices: (Carcerano: abstract)

setting configuration for the plurality of other peripheral devices; and means for sending information to the user station: (abstract; figure 7)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Alaimo-Denamn- Duvvury's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59)

Regarding claim 7:

Alaimo-Denman-Duvvury discloses the invention substantially as disclosed in claim 3, but does not explicitly teach print: (the devices received configuration in Carcerano's system can be printer: figure 7; figure 1, items 19, 27)

Regarding claims 16-18, 23-25, 33-35:

Those claims are rejected under rationale of claim 6

Regarding claim 19:

This claim is rejected under rationale of claim 7

Claims 41, 43, 47 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman in view of Carcerano et al. (U.S. 6,308,205)

Regarding claim 41:

Alaimo-Denman discloses the invention substantially as disclosed in claims 1, 11, 28 but does not explicitly teach print: (the devices received configuration in Carcerano's system can be printer: figure 7; figure 1, items 19, 27)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Alaimo-Denamn's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59)

Regarding claims 43, 47:

Those claims are rejected under rationale of claim 41

Claim 45 is rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman- Duvvury in view of Carcerano et al. (U.S. 6,308,205)

Regarding claim 41:

Alaimo-Denman- Duvvury discloses the invention substantially as disclosed in claim 21 but does not explicitly teach print: (the devices received configuration in Carcerano's system can be printer: figure 7; figure 1, items 19, 27)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Alaimo-Denamn's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59)

Claims 9-10, 36, 42, 44, 48 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman- Duvvury in view of Frazier et al. (U.S. 6,981,025)

Regarding claims 9-10:

Alaimo-Denman discloses the invention substantially as disclosed in claim 3, but does not explicitly teach checking if devices are under double managing

In analogous art, Frazier discloses method for discovering and disabling network manager process, see (abstract; column 12, lines 19-31, 50-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Frazier's ideas of discovering and disabling network manager process into Alaimo-Denman's system in order to flexibilities for configuration network

Regarding claim 42:

In addition to rejection in claim 1, Alaimo-Denman further discloses selecting based on characteristic

In analogous art, Frazier discloses method choose master manager from a group base on highest priority condition, see (column 13, lines 25-31)

Regarding claims 44, 36, and 48:

Those claims are rejected under rationale of claim 42

Claims 8, 20 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman- Duvvury in view of Frazier et al. (U.S. 6,981,025)

Regarding claim 8:

In addition to rejection in claim 3, Alaimo-Denman- Duvvury further discloses selecting based on characteristic

In analogous art, Frazier discloses method choose master manager from a group base on highest priority condition, see (column 13, lines 25-31)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Frazier's ideas of discovering and disabling network manager process into Alaimo-Denman- Duvvury's system in order to flexibilities for configuration network

Regarding claim 20:

This claim is rejected under rationale of claim 8

Claim 32 is rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman in view of Frazier et al. (U.S. 6,981,025)

Regarding claim 32:

Alaimo-Denman discloses the invention substantially as disclosed in claim 30, but does not explicitly teach checking if devices are under double managing

In analogous art, Frazier discloses method for discovering and disabling network manager process, see (abstract; column 12, lines 19-31, 50-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Frazier's ideas of discovering and disabling network manager process into Alaimo-Denman's system in order to flexibilities for configuration network

Claims 27, 46 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman- Duvvury in view of Frazier et al. (U.S. 6,981,025)

Regarding claims 27 and 46:

Alaimo-Denman-Duvvury discloses the invention substantially as disclosed in claim 27, but does not explicitly selecting based on central processing performance, memory size, or average load

In analogous art, Frazier discloses method choose master manager from a group base on highest priority condition, see (column 13, lines 25-31)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Frazier's ideas of discovering and disabling network manager process into Alaimo-Denman- Duvvury's system in order to flexibilities for configuration network

Claims 22 and 26 are rejected under 35 U.S.C 103(a) as being un-patentable over Alaimo-Denman- Duvvury in view of Frazier et al. (U.S. 6,981,025)

Regarding claim 22:

Alaimo-Denman-Duvvury discloses the invention substantially as disclosed in claim 21, but does not explicitly teach checking if devices are under double managing

In analogous art, Frazier discloses method for discovering and disabling network manager process, see (abstract; column 12, lines 19-31, 50-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Frazier's ideas of discovering and disabling network manager process into Alaimo-Denman-Duvvury's system in order to flexibilities for configuration network

Regarding claim 26:

This claim is rejected under rationale of claim 22

The prior arts made of records and not relied upon are considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to " PERIPHERAL DEVICE WITH A CENTRALIZED MANAGEMENT SERVER, AND SYSTEM, COMPUTER PROGRAM PRODUCT AND METHOD FOR MANAGING PERIPHERAL DEVICES CONNECTED TO A NETWORK": 6917626; 20020016930; 6990591; 6038621; 6658510; 6735641; 20020065962; 6405310; 6965927; 5193171; 6292849; 529262; 20020072998; 6594528; WO0074368; 2002/0046312; 6594529; 5093773; 6636929; 6201806; 5740368; 6785746

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/10/2007

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER
12/13/7